

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

CITY OF SOUTH BEND, )  
)  
Plaintiff, )  
)  
v. ) Cause No. 3:12-cv-475  
)  
SOUTH BEND COMMON COUNCIL, )  
*ET AL.*, )  
)  
Defendants. )

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BRIAN YOUNG, SANDY YOUNG )  
TIMOTHY CORBETT, DAVID WELLS, )  
And STEVE RICHMOND )  
)  
Plaintiffs, )  
)  
v. ) Cause No. 3:12-cv-532 JVB-CAN  
)  
THE CITY OF SOUTH BEND, Acting )  
Through its Police Department, DARRYL )  
BOYKINS, Individually and in his Official )  
Capacity as Chief of Police, KAREN )  
DEPAEPE, and SCOTT DUERRING, )  
)  
Defendants. )

**AGREED MOTION FOR ENLARGEMENT OF DISPOSITIVE MOTION DEADLINE**

The parties, by their respective counsel, respectfully move the Court for an enlargement of the dispositive motion deadline currently set for September 30, 2013 to and including December 13, 2013. In support of their motion, the parties state as follows:

1. On February 2, 2013, the Court entered its Scheduling Order and Memorandum of Status Conference, setting a deadline of July 1, 2013 for “[a]ny dispositive motion concerning issues relating to the Federal Wire Tap Act” (the “Dispositive Motion Deadline”).

2. The Dispositive Motion Deadline was subsequently extended twice, most recently to September 30, 2013 by an agreed motion of the parties and pursuant to the Court's Docket Entry Order of July 25, 2013.

3. Discovery concerning the legality of the recorded phone conversations under the Federal Wiretap Act is substantially complete at this juncture. Moreover, the Court recently resolved outstanding discovery issues among the parties by entry of its September 6, 2013 Order (Doc. Entry No. 90) and its entry of a Protective Order (Doc. Entry No. 81). Pending resolution of those issues, the deposition of a key witness has been held open and remains to be completed.

4. Because the discovery issues have been resolved, the parties are able to reschedule and re-convene the deposition. To allow sufficient time to schedule and complete the deposition and prepare and file any dispositive motions, the parties request a seventy-four (74) day extension of the Dispositive Motion Deadline, to and including Friday, December 13, 2013.

5. This motion is not made for the purposes of delay and no party is prejudiced by the relief sought herein.

WHEREFORE, the parties respectfully request that the Court extend the dispositive motion deadline for matters relating to the legality of the recorded phone conversations current set for September 30, 2013 by seventy-four (74) days, to and including Friday, December 13, 2013, and further request all other just and proper relief to which they may be entitled.

Respectfully submitted,

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